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25 Attorneys for Defendant
 26 ABBOTT LABORATORIES

27
UNITED STATES DISTRICT COURT
 28
NORTHERN DISTRICT OF CALIFORNIA
 29
OAKLAND DIVISION

30
 31 MEIJER, INC. & MEIJER DISTRIBUTION,) **No. C 07-5985 CW**
 32 INC., on behalf of themselves and all others)
 33 similarly) *Related Per November 30, 2007 Order to*
 34 situated,) *Case No. C 04-1511 CW*
 35 Plaintiffs,)
 36 vs.)
 37 ABBOTT LABORATORIES,) **[PROPOSED] ORDER GRANTING**
 38 Defendant.) **ABBOTT LABORATORIES' MOTION**
 39) **TO DISMISS PLAINTIFFS'**
 40) **CONSOLIDATED AMENDED**
 41) **COMPLAINT PURSUANT TO 12(b)(6)**
 42
 43 [caption continues next page]) Date: March 6, 2008
 44) Time: 2:00 p.m.
 45) Courtroom: 2 (4th Floor)
 46) Judge: Hon. Claudia Wilken
 47
 48)

1 RODCHESTER DRUG CO-OPERATIVE,) **No. C 07-6010 CW**
 2 INC., on behalf of itself and all others similarly) *Related Per December 3, 2007 Order to*
 3 situated,) *Case No. C 04-1511 CW*
 4 Plaintiffs,)
 5 vs.)
 6 ABBOTT LABORATORIES,)
 7 Defendant.)
 8) Date: March 6, 2008
 9) Time: 2:00 p.m.
 10) Courtroom: 2 (4th Floor)
 11) Judge: Hon. Claudia Wilken
 12)
 13 LOUISIANA WHOLESALE DRUG)
 14 COMPANY, INC., on behalf of itself and all) **No. C 07-6118 CW**
 15 others similarly situated,) *Related Per December 10, 2007 Order to*
 16) *Case No. C 04-1511 CW*
 17 Plaintiffs,)
 18 vs.)
 19 ABBOTT LABORATORIES,)
 20 Defendant.)
 21) Date: March 6, 2008
 22) Time: 2:00 p.m.
 23) Courtroom: 2 (4th Floor)
 24) Judge: Hon. Claudia Wilken
 25)
 26)
 27)
 28)

1 Defendant, Abbott Laboratories' Motion to Dismiss Plaintiffs' Consolidated Amended
2 Complaint came on for hearing before this Court on March 6, 2008. The parties were
3 represented by counsel at the hearing. After considering all the papers filed regarding this
4 motion, and after all counsel had an opportunity to be heard, the Court rules as follows:

5 **IT IS HEREBY ORDERED:**

6 1. Abbott Laboratories' Motion To Dismiss is GRANTED without leave to amend,
7 and judgment is hereby entered in favor of Abbott Laboratories on each and every claim of the
Plaintiffs' complaints.

8
9
10 Dated: _____

11 _____
12 **HONORABLE CLAUDIA WILKEN**
13 United States District Court